IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 2239 of 1997

For Approval and Signature:

HONOURABLE MR.JUSTICE R.S.GARG

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MITHABHAI D PATEL - Petitioner(s)
Versus
STATE OF GUJARAT & 1 - Respondent(s)

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Appearance :
MR JAGDISH MEHTA for Petitioner(s) : 1,
MR MR MENGDEY, ASSTT. GOVERNMENT PLEADER for Respondent(s) : 1 - 2.

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CORAM : HONOURABLE MR.JUSTICE R.S.GARG

Date : 19/06/2007

ORAL JUDGMENT

Shri Jagdish Mehta, learned counsel for the petitioner; Shri M.R. Mengdey, learned AGP for the respondents.

It is agreed between the parties that the petitioners continue to be in possession of the land in dispute. In view of the provisions contained in the Urban Land [Ceiling & Regulation] Repeal Act, the proceedings initiated at the instance of the State Government shall stand abated in a case where possession of the property has not been taken by the

State Government.

In view of the factual position, the proceedings initiated by the State Government would abate. All the orders passed against the petitioner are hereby quashed. Rule made absolute accordingly. No costs.

[R.S. GARG, J.]

pirzada/-